UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,901	03/12/2002	Marwan Anwar Jabri	021318-000110US	3677

20350 7590 01/30/2007

TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER	
AILES, BENJAMIN A	
ART UNIT	**PAPER NUMBER**
2142	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/099,901	JABRI, MARWAN ANWAR	
	Examiner	Art Unit	
	Benjamin A. Ailes	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 December 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11 and 13-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 13-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 13 December 2006 has been entered. Claims 1-11 and 13-38 remain pending.

Response to Amendment

2. Applicant's amendments to claims 28 and 29 have been entered into the record. Prior claim objections have been withdrawn.

3. Cancellation of claim 12 by the applicant has rendered the prior rejection made under 35 USC 112, second paragraph moot and has therefore been withdrawn.

Claim Objections

4. Claim 38 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 38 is an exact duplicate of claim 37.

Response to Arguments

5. Applicant's arguments filed 13 December 2006 have been fully considered but they are not persuasive.

6. The claimed term "capability negotiation process" has been reviewed in light of the specification. In this case, no explicit controlling definition seems to be set forth in the invention's disclosure, particularly, since the term "negotiation" or permutations thereof, does not appear in the written disclosure as filed. Thus, the broadest reasonable interpretation has been applied to this claim term, "capability negotiation process", namely, meaning a process. The claimed term "capabilities" has been reviewed in light of the specification, however, there seems to be not explicit controlling definition for the term "capability". According to Applicant's disclosure, a capability message may be sent by the network host to the transcoder to find the best transcoding mode for a specific media to be transmitted from one end-point, e.g., a video server, to the other end-point. In the capability-mode-selection process, the PTS may choose one bitstream protocol mode for receiving data from the source, and another bitstream protocol mode to which the PTS convert the received media [see par 0070]. Thus, it seems that "capability" pertains to an attribute, characteristic or property of the communication type or media type and/or a device. The applied reference's description of publishing variables which can include, but are not limited to, the file format, bit rate, communication protocol(s), and/or physical medium have been equated the claimed term "capability(ies)", particularly, including source capability(ies), source output, destination capability(ies), destination input, and end-point (source/destination) capabilities(ies), as claimed.

Claims 1-11, 13-19, 28 and 31-38

7. Applicant argues with respect to claim 1 that the cited references, either considered alone or in combination, do not teach or suggest "a capability negotiation module adapted to: perform a capability negotiation process defined by the first protocol to provide one source capability of the plurality of source capabilities; determine one or more characteristics of a media channel coupled to the source output and adapted to support the first stream of information; and identify one destination capability of the plurality of destination capabilities," among other elements. Examiner respectfully disagrees with the applicant. Lai teaches in Figure 6 item 218 a transcoder which performs a capability negotiation process (col. 10, ll. 50-53, transcoder software used to transcode from known source types to destination types) defined by the first protocol to provide one source capability of the plurality of source capabilities wherein Lai teaches the reception of publishing variables including the source communication protocol (col. 21, ll. 44-48, source communication protocol). Lai teaches the determination of one or more characteristics of a media channel coupled to the source output and adapted to support the first stream of information wherein Lai teaches the reception of publishing variables by the transcoder including the reception of publishing variables including the the source physical medium (col. 21, ll. 44-48, source physical medium). Lai also teaches the identification of one destination capability of the plurality of destination capabilities wherein Lai teaches the reception of publishing variables of a destination including the destination communication protocol and destination file format (col. 21, ll. 53-57, destination communication protocol, destination file format). Therefore, claims 1-

11, 13-19, 28 and 31-38 as written are not deemed patentable over the prior art references cited.

Claims 20-24 and 29

8. Applicant argues with respect to claim 20 that the cited references do not teach or suggest Claim 20 recites "a capability negotiation process coupled to the source output, the capability negotiation process being adapted to identify the first protocol supported by the source output, determine one or more characteristics of a media channel coupled to the source output, wherein the media channel is adapted to support the first stream of information, and adapted to identify the second protocol supported by the destination input," among other elements. Examiner respectfully disagrees with the applicant. Lai teaches in Figure 6 item 218 a transcoder which performs in column 21, lines 39-57 and col. 10, ll. 50-53 (transcoder software used to transcode from known source types to destination types) a capability negotiation process coupled to the source output being adapted to identify the first protocol supported by the source output wherein Lai teaches the reception of publishing variables including the source communication protocol (col. 21, ll. 44-48, source communication protocol). Lai teaches the determination of one or more characteristics of a media channel coupled to the source output wherein the media channel is adapted to support the first stream of information wherein Lai teaches the reception of publishing variables by the transcoder including the reception of publishing variables including the source physical medium (col. 21, ll. 44-48, source physical medium). Lai also teaches the identification of the second protocol supported by the destination input wherein Lai teaches the reception of

publishing variables of a destination including the destination communication protocol and destination file format (col. 21, ll. 53-57, destination communication protocol and destination file format). Therefore, claims 20-24 and 29 as written are not deemed patentable over the prior art references cited.

Claims 25-27 and 30

9. Applicant argues with respect to claim 25 that the cited references do not teach or suggest "performing a capability negotiation process defined by a first protocol to provide a source capability from a plurality of source capabilities for a stream of information; performing a capability negotiation process defined by the first protocol to provide a destination capability from a plurality of destination capabilities" and "determining one or more characteristics of a media channel coupled to the source output, wherein the media channel is adapted to support the stream of information," among other elements. Examiner respectfully disagrees with the applicant. Lai teaches in Figure 6, item 218 a transcoder, col. 10, ll. 50-53 (transcoder software used to transcode from known source types to destination types) and column 21, lines 39-57 the performance of a capability negotiation process defined by a first protocol to provide a source capability from a plurality of source capabilities for a stream of information wherein Lai teaches the reception of publishing variables including the source communication protocol (col. 21, ll. 44-48, source communication protocol). Lai also teaches the performance of a capability negotiation process defined by the first protocol to provide a destination capability from a plurality of destination capabilities wherein Lai teaches the reception of publishing variables of a destination including the destination

communication protocol and destination file format (col. 21, ll. 53-57, destination communication protocol and destination file format). Lai teaches determining one or more characteristics of a media channel coupled to the source output, wherein the media channel is adapted to support the stream of information wherein Lai teaches the reception of publishing variables including the determination of the source physical medium (col. 21, ll. 44-48, source physical medium). Therefore, claims 25-27 and 30 as written are not deemed patentable over the prior art references cited.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. Claims 1-6, 9-11, 13, 14, 16, 18-20, 23-30, 33-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lai et al. (US 6,593,860), hereinafter referred to as Lai, in view of Bruno et al. (US 6,262,978 B1), hereinafter referred to as Bruno.

12. Regarding claim 1, Lai teaches a system for transferring multimedia information from a source location (fig. 1, item 104) to a destination location (fig. 1, item 102) through one or more networks (fig. 1, item 106), the system comprising:

a source output (fig. 1, item 104) adapted to provide a first stream of information (col. 7, ll. 21-23, transmit media content) in a first protocol characterized by one of a plurality of source capabilities (col. 7, ll. 44-50, content provider provides multimedia

files in various well-known formats including MPEG, AVI, MP3, REAL, WINDOWS MEDIA, QUICKTIME, H.263 video coding);

a destination input (fig. 1, item 102) adapted to receive a second stream of information (col. 7, ll. 15-16, viewer client is capable of receiving media content) in a second protocol characterized by one of a plurality of destination capabilities (col. 7, ll. 15-20, viewer client is capable of viewing content in various well known encoded formats including but not limited to MPEG, AVI, MP3, REAL, WINDOWS MEDIA, QUICK TIME, and H.263 video encoding.).

Lai teaches the use of a proxy transcoder ("PTS") (fig. 6, item 218, col. 3, ll. 51-55, transcoder transcodes media content) coupled between the source output (fig. 6, item 610) and the destination input (fig. 6, item 650). Lai teaches wherein the PTS (fig. 6, item 218) is adapted to perform transcoding of multimedia system protocols (col. 7, ll. 57-61, transcoding engine transcodes media content from a source type to a destination type) but does not explicitly teach "the multimedia system protocols selected from the group consisting of H.320, H.323, H.324, and SIP", however, in related art, Bruno teaches in a video telephone/teleconference call environment the call conversion process between, for example, H.320 standard to a packetized voice call, H.323, or a similar protocol (see Bruno, col. 3, ll. 34-53) and therefore teaches in the art that it would have been well known to one of ordinary skill in the art to utilize multimedia system protocols like H.320, H.323, H.324 or SIP as recited in claim 1. In view of Bruno, one of ordinary skill in the art at the time of the applicant's invention would have found it obvious for the PTS as taught by Lai in figure 6, item 218 to support other

multimedia system protocols like H.320, H.323, H.324 and SIP. One of ordinary skill would have been motivated to make this combination as taught by Bruno wherein it is advantageous to enable a teleconference call between a circuit switched network user and a packet network user which teaches the conversion of multimedia system protocols like H.320, H.323, H.324 and SIP utilizing a multimedia gateway (Bruno, col. 1, line 64 – col. 2, line 11).

Lai teaches further the PTS comprising:

a capability negotiation module adapted to:

perform a capability negotiation process defined by the first protocol to provide one source capability of the plurality of source capabilities (Fig 6 and col. 21, lines 44-48);

determine one or more characteristics of a media channel coupled to the source output and adapted to support the first stream of information (col. 21, ll. 44-48); and

identify one destination capability of the plurality of destination capabilities (col. 21, ll. 53-57);

a selection module adapted to select a transcoding process based upon the one source capability of the plurality of source capabilities and the one destination capability of the plurality of destination capabilities (col. 10, ll. 50-57); and

a transcoding module adapted to use the selected transcoding process to process the first stream of information (col. 10, ll. 50-57).

13. Regarding claim 2, Lai and Bruno teach the system wherein the one or more transport networks are selected from a group comprising the Internet, a mobile network, a wide are network, a local area network, PTSN, ISDN, and SONET (Lai, col. 6, ll. 52-61). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 2.

14. Regarding claim 3, Lai and Bruno teach the system wherein at least one of the source output and the destination input is that of a remote device (Lai, col. 7, ll. 4-9). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 3.

15. Regarding claim 4, Lai and Bruno teach the system wherein the capability module identifies at least one of the output and input of the remote device, based on information stored in the device, based on user subscription information stored in a network database of the user's service provider, based on in-band information command and control within a stream exchanged, or pre-set by the service provider (Lai, col. 9, ll. 45-58). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 4.

16. Regarding claim 5, Lai and Bruno teach the system wherein the transcoding process selected by the capability module transcodes data from a first bitstream protocol mode to a second bitstream protocol mode (Lai, col. 21, ll. 4-10). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 5.

17. Regarding claim 6, Lai and Bruno teach the system wherein the PTS further comprising a rate control module regulating the data rate produced by the PTS (Lai, col. 21, lines 15-38). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 6.

18. Regarding claim 9, Lai and Bruno teach the system wherein the rate control module detects the network status information by using in-band information (Lai, col. 15, ll. 23-31). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 9.

19. Regarding claim 10, Lai and Bruno teach the system wherein the rate control module regulates the data rate by changing transcoding parameters (Lai, col. 21, ll. 36-38). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 10.

20. Regarding claim 11, Lai and Bruno teach the system wherein the rate control module regulates the data rate by instructing network equipment to give a higher priority to data being handled by the PTS than other data (Lai, col. 16, ll. 60-66). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 11.

21. Regarding claim 13, Lai and Bruno teach the system wherein the one or more networks are selected from a plurality of different networks, each of the one or more networks being configured for a particular standard (Lai, col. 18, lines 38-42). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 13.

22. Regarding claim 14, Lai and Bruno teach the system wherein the PTS further comprising a network addressing module to determine the network address of the source output and the network address of the destination input (Lai, col. 15, ll. 18-22). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 14.

23. Regarding claim 16, Lai and Bruno teach the system wherein the PTS further comprising an intellectual property rights management module to manage and process information on intellectual property rights (Lai, col. 15, lines 23-26). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 16.

24. Regarding claim 18, Lai and Bruno teach the system wherein the rate control module regulates the data rate dynamically and in real time (Lai, col. 14, ll. 43-49). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 18.

25. Regarding claim 19, Lai and Bruno teach the system wherein the transcoding module are programmable to transcode between various types of capabilities for the source output and various types of capabilities for the destination input (Lai, col. 10, ll. 50-57). The rationale and motivation utilized to combine Lai and Bruno in claim 1 applies equally as well to claim 19.

26. Regarding claim 20, Lai teaches a system for transferring multimedia information from source to destination locations through one or more networks, the system comprising of a proxy transcoder ("PTS") (fig. 6, item 218, col. 3, ll. 51-55, transcoder

transcodes media content) coupled between the source output (fig. 6, item 610) and the destination input (fig. 6, item 650). Lai teaches wherein the PTS (fig. 6, item 218) is adapted to perform transcoding of multimedia system protocols (col. 7, ll. 57-61, transcoding engine transcodes media content from a source type to a destination type) but does not explicitly teach "the multimedia system protocols selected from the group consisting of H.320, H.323, H.324, and SIP", however, in related art, Bruno teaches in a video telephone/teleconference call environment the call conversion process between, for example, H.320 standard to a packetized voice call, H.323, or a similar protocol (see Bruno, col. 3, ll. 34-53) and therefore teaches in the art that it would have been well known to one of ordinary skill in the art to utilize multimedia system protocols like H.320, H.323, H.324 or SIP as recited in claim 20. In view of Bruno, one of ordinary skill in the art at the time of the applicant's invention would have found it obvious for the PTS as taught by Lai in figure 6, item 218 to support other multimedia system protocols like H.320, H.323, H.324 and SIP. One of ordinary skill would have been motivated to make this combination as taught by Bruno wherein it is advantageous to enable a teleconference call between a circuit switched network user and a packet network user which teaches the conversion of multimedia system protocols like H.320, H.323, H.324 and SIP utilizing a multimedia gateway (Bruno, col. 1, line 64 – col. 2, line 11).

Lai teaches further a proxy transcoder server ("PTS") coupled between the source output and the destination input, the proxy transcoder server (col. 3, ll. 51-65) comprising:

a capability negotiation process coupled to the source output, the capability negotiation process being adapted to identify the first protocol supported by the source output (col. 21, ll. 44-48), determine one or more characteristics of a media channel coupled to the source output, wherein the media channel is adapted to support the first stream of information (col. 21, ll. 44-48), and adapted to identify the second protocol support by the destination input (col. 21, ll. 53-57);

a transcoding process coupled to the capability process, the transcoding process comprising a plurality of transcoding modules numbered 1 through N, where N is an integer greater than 1, the transcoding process being adapted to select one of the plurality of transcoding modules based upon the first protocol and the second protocol (col. 10, ll. 50-57); and

a bit rate control process coupled to the transcoding process, the bit rate control process being adapted to receive a network status information from the first network, the bit rate control being adapted to adjust a status of the stream of information based upon the network status information (col. 21, ll. 15-38).

27. Regarding claim 23, Lai and Bruto teach the system wherein the status is a prioritization status (Lai, col. 16, ll. 60-66). The rationale and motivation utilized to combine Lai and Bruno in claim 20 applies equally as well to claim 23.

28. Regarding claim 24, Lai and Bruno teach the system wherein the status is to adjust a bit rate by selecting a lower bit rate coder (Lai, col. 21, ll. 15-38). The rationale and motivation utilized to combine Lai and Bruno in claim 20 applies equally as well to claim 24.

29. Regarding claim 25, Lai teaches a method for processing streams of information, the method comprising:

performing a source capability negotiation process defined by a first protocol to provide a source capability from a plurality of source capabilities for a stream of information (col. 21, ll. 44-48);

performing a capability negotiation process defined by the first protocol to provide a destination capability from a plurality of destination capabilities (col. 21, ll. 53-57);

determining one or more characteristics of a media channel coupled to the source output, wherein the media channel is adapted to support the stream of information (col. 21, ll. 44-48); and

selecting a transcoding process from a plurality of transcoding processes in a library based upon the identified source capability and the identified destination capability (col. 10, ll. 50-57).

Lai teaches the use of a proxy transcoder ("PTS") (fig. 6, item 218, col. 3, ll. 51-55, transcoder transcodes media content) coupled between the source output (fig. 6, item 610) and the destination input (fig. 6, item 650). Lai teaches wherein the PTS (fig. 6, item 218) is adapted to perform transcoding of multimedia system protocols (col. 7, ll. 57-61, transcoding engine transcodes media content from a source type to a destination type) but does not explicitly teach "the multimedia system protocols selected from the group consisting of H.320, H.323, H.324, and SIP", however, in related art, Bruno teaches in a video telephone/teleconference call environment the call conversion process between, for example, H.320 standard to a packetized voice call, H.323, or a

similar protocol (see Bruno, col. 3, ll. 34-53) and therefore teaches in the art that it would have been well known to one of ordinary skill in the art to utilize multimedia system protocols like H.320, H.323, H.324 or SIP as recited in claim 25. In view of Bruno, one of ordinary skill in the art at the time of the applicant's invention would have found it obvious for the PTS as taught by Lai in figure 6, item 218 to support other multimedia system protocols like H.320, H.323, H.324 and SIP. One of ordinary skill would have been motivated to make this combination as taught by Bruno wherein it is advantageous to enable a teleconference call between a circuit switched network user and a packet network user which teaches the conversion of multimedia system protocols like H.320, H.323, H.324 and SIP utilizing a multimedia gateway (Bruno, col. 1, line 64 – col. 2, line 11).

Lai teaches further processing the stream of information using the selected transcoding process if the identified source capability and the identified destination capability are different (col. 10, ll. 50-57); and transferring the stream of information from the source to the destination free from one of the transcoding processes if the identified source capability and the identified destination capability matches (col. 12, ll. 15-24).

30. Regarding claim 26, Lai and Bruno teach the method wherein the selected transcoding process is provided by empirical information (Lai, col. 9, ll. 53-58). The rationale and motivation utilized to combine Lai and Bruno in claim 25 applies equally as well to claim 26.

31. Regarding claim 27, Lai and Bruno teach the method wherein the library is a look up table having at least the plurality of source capabilities and the plurality of destination

capabilities in a second dimension (Lai, col. 9, ll. 53-58). The rationale and motivation utilized to combine Lai and Bruno in claim 25 applies equally as well to claim 27.

32. Regarding claims 28-30, Lai and Bruno teach the method wherein the H.324 multimedia system protocol comprises 3GPP-324M. Official notice is taken that 3GPP-324M was old and well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include 3GPP-324M because 3GPP-324M is commonly used in mobile phone systems.

33. Regarding claim 33, Lai and Bruno teach the system further comprising:

a second source output adapted to provide a third stream of information in the first protocol characterized by one of a plurality of source capabilities (col. 6, ll. 37-43 and col. 21, ll. 44-48); and

a second transcoding module adapted to use a second transcoding process to process the third stream of information (Lai, col. 6, ll. 37-43 and col. 21, ll. 39-41), wherein:

the capability negotiation module is further adapted to determine one or more characteristics of a second media channel coupled to the second source output and adapted to support the third stream of information (Lai, col. 6, ll. 37-43 and col. 21, ll. 44-48); and

the selection module is further adapted to select the second transcoding process (Lai, col. 6, ll. 37-43 and col. 10, ll. 50-57).

34. Regarding claim 34, Lai and Bruno teach the system wherein the media channel comprises a video channel and the second media channel comprises an audio channel (Lai, col. 6, ll. 54-58).

35. Regarding claim 35, Lai and Bruno teach the system wherein the second stream of information comprises a transcoded stream of media converted for transport in the second protocol (Lai, fig. 6 and col. 21, ll. 53-57).

36. Regarding claim 36, Lai and Bruno teach the system further comprising performing a second capability negotiation process defined by the second protocol to provide one destination capability of the plurality of destination capabilities (Lai, fig. 6 and col. 21, ll. 53-57).

37. Regarding claim 37, Lai and Bruno teach the system wherein the second capability negotiation process translates one or more of the plurality of source capabilities to provide one or more of the plurality of destination capabilities (col. 21, ll. 39-41).

38. Regarding claim 38, Lai and Bruno teach the system wherein the second capability negotiation process translates one or more of the plurality of source capabilities to provide one or more of the plurality of destination capabilities (col. 21, ll. 39-41).

39. Claims 7, 8, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lai and Bruno in view of Monteiro et al. (US 6,119,163), hereinafter referred to as Monteiro.

40. Regarding claims 7, 8 and 21, Lai and Bruno suggests the need for determining network status in regards to the capabilities of source and destination locations (Lai, col. 21, lines 15-38), but does not explicitly teach the calculation of round trip time in order to assess the congestion of a network at a certain time, the round trip time calculation technique utilizing the use of a ping. However, in related art, Monteiro teaches the use of a ping object in order to perform round trip time calculations (col. 15, lines 10-16) for network congestion determination and to determine the availability of a remote client. One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to utilize the calculation of round trip time including a ping when determining the status of a network as taught by Monteiro and in combination with the teachings of Lai and Bruno. One of ordinary skill in the art would have been motivated to utilize the ping object disclosed by Monteiro in order to attain an accurate calculation of round trip time and the status of a network based on congestion. Monteiro suggests the advantage of using a ping to determine the status of a remote client device (col. 15, lines 13-16).

41. Regarding claim 22, Lai, Bruno and Monteiro teach the system wherein the status is a stop status (Monteiro, col. 15, ll. 13-16). The motivation utilized to combine Lai, Bruno and Monteiro in the rejection of claims 7, 8 and 21 applies equally as well to claim 22.

42. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lai and Bruno in view of Zhu (US 5,870,146).

43. Regarding claim 15, Lai and Bruno teach the transcoding of media bitstreams and the delivery to destinations over a network but does not teach the combining of

multiple streams (mixing). However, in related art, Zhu teaches the mixing of multiple media streams into one stream as being well known in the art and therefore would have been an obvious step to one of ordinary skill in the art at the time of the applicant's invention and therefore one of ordinary skill would have found it obvious and would have been motivated to utilize such a step with the Lai and Bruno teachings.

44. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lai and Bruno in view of Floyd et al. (US 7,003,584 B1), hereinafter referred to as Floyd.

45. Regarding claim 17, Lai and Bruno teach the transcoding of media as outlined in the rejection of claim 1 but does not explicitly teach the encryption and decryption of data. However, in related art, Floyd teaches a transcoder in which data is encrypted/decrypted for added security (Floyd, col. 1, lines 15-24). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to utilize encryption/decryption techniques when transcoding media data as taught by Floyd in combination with the media transcoding methods disclosed by Lai. One of ordinary skill in the art would have been motivated to make such a combination for added security (Floyd, col. 1, lines 15-24).

46. Claims 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lai and Bruno in view of what was "well known" in the art at the time of the applicant's invention.

47. Regarding claim 31, official notice is taken that the utilization of the system protocol H.245 was old and well known in the art. It would have been obvious to one of

ordinary skill in the art at the time of the applicant's invention to include H.245 because H.245 was well known to be a system protocol used in call signaling procedures.

48. Regarding claim 32, official notice is taken that the utilization of the protocol SDP was old and well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include SDP because SDP was well known to be a system protocol used for different signaling methods.

Conclusion

49. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Krueger et al. (US 5,996,022) teaches the transcoding of data in a proxy computer prior to transmitting the audio data to a client.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes whose telephone number is (571)272-3899. The examiner can normally be reached on M-F 6:30-4, IFP Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

baa

Beatriz Prieto
BEATRIZ PRIETO
PRIMARY EXAMINER